MEMO ENDORSED

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IRA FOGELGAREN

GREGORY CALLISTE, JR.
VALERIE M. CARTRIGHT
MILI MAKHIJANI

We can discuss at 7/17/08 conference @ 9:00 AM

SO ORDERED:
Date: 7/14/08 Richard M. Berman
Richard M. Berman, U.S.D.J.

July 2008

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CHAMBERS OF
RICHARD M. BERMAN
U.S.D.J.

BY FEDERAL EXPRESS
Honorable Richard M. Berman
District Court Judge
United States Courthouse
500 Pearl St., Room 650
New York, NY 10007

Re: Selinger v. City of New York, et al.
Docket No: CV-08-2096 (RMB)(GWG)

Dear Judge Berman:

This office represents Plaintiff in this matter. We write the Court in order to provide an update regarding Your Honor's Order following the conference held on June 16, 2008. As Your Honor may recall, Your Honor Ordered Defendant City of New York to provide Plaintiff with the names and commands of the Defendants "John Does" police officers by July 7, 2008 so that Plaintiff could effect service upon said officers by July 14, 2008.

Plaintiff did not receive the necessary information from Counsel for the City on July 7th. We then endeavored to resolve this issue without seeking intervention from the Court. Upon contacting Brian Maxey, Esq., Counsel for Defendant City, we were advised that the City was having bureaucratic issues, which are causing an unforseen delay to them in obtaining the information requested. Mr. Maxey advised us of the name of one *potential* John Doe officer. However, according to Mr. Maxey, this detective is now retired. Mr. Maxey then advised us that he was attempting to obtain permission from One Police Plaza to see if they would accept service on this detective's behalf. As the detective is retired, I requested this detective's last-known address. Because of the City's policy against releasing the home addresses of its police officers, the City would not give us this detective's address.

Accordingly, as Plaintiff is obligated to serve the defendant John Does by July 14th, we now write in order to inform Your Honor of the status of this matter and also to request further guidance from the Court. We thank Your Honor for your consideration in this matter.

Sincerely,

GREGORY CALLISTE, JR.

Cc: Brian Maxey, Esq (by fax (212) 788-9776 and by regular mail)